

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DARRON D. GREEN, : **CIVIL ACTION NO. 1:16-CV-2292**

Plaintiff : **(Chief Judge Conner)**

v. :

FELICIA FRANKLIN, et al., :

Defendants :

ORDER

AND NOW, this 28th day of August, 2017, upon consideration of the report (Doc. 10) of Chief Magistrate Judge Susan E. Schwab, issued following comprehensive review of the complaint (Doc. 1) of *pro se* plaintiff Darron D. Green (“Green”), wherein Judge Schwab recommends that the court dismiss Green’s complaint for failure to state a claim for which relief may be granted, and that dismissal should be without leave to amend in view of Green’s failure to comply with the court’s requirement that he maintain a current address with the Clerk of Court, (see id. at 6-8), and it appearing that no party has objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d at 878; see also Taylor v. Comm’r of Soc. Sec., 83

F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int'l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following independent review of the record, the court being in full agreement with Judge Schwab’s recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 10) of Magistrate Judge Schwab is ADOPTED.
2. Green’s complaint (Doc. 1) is DISMISSED with prejudice.
3. The Clerk of Court is directed to CLOSE this case.
4. Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania